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9 Attorneys for Plaintiff,  
United States Small Business Administration in its  
10 capacity as Receiver for Alto Tech II, L.P.

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION

14 United States Small Business Administration in  
its capacity as Receiver for Alto Tech II, L.P.,

15 Plaintiff,

16 vs.

17  
18 Alto Tech Ventures, LLC, a Delaware limited  
liability company; Alto Tech Management ,  
19 LLC, a California limited liability company;  
Gloria Chen Wahl, an individual; Walter T.G.  
20 Lee, an individual and Thanos Triant, an  
individual,

21 Defendants.  
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23  
24  
25  
26  
27  
28

Case No. C 07-4530 SC

**CERTIFICATE OF SERVICE**

SCNADER HARRISON SEGAL & LEWIS LLP  
ONE MONTGOMERY STREET, SUITE 2200  
SAN FRANCISCO, CA 94104-5501  
TELEPHONE: 415-364-6700

GREGORY C. NUTI  
SCHNADER, HARRISON, SEGAL & LEWIS  
1 Montgomery Street, Suite 2200  
San Francisco, CA 94104  
Telephone: (415) 364-6700

ATTORNEY(S) FOR: Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES SMALL BUSINESS  
ADMINISTRATION, etc.

Plaintiff,

V.

ALTO TECH VENTURES, LLC, et al.

Defendant.

CASE NUMBER

C07-4530 SC

**DECLARATION OF SERVICE**

At the time of service I was a citizen of the United States, over the age of eighteen, and not a party to this action; I served copies of the:

SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; WELCOME TO THE U.S. DISTRICT COURT, SAN FRANCISCO; ECF REGISTRATION INFORMATION HANDOUT; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION

in the within action by personally delivering true copies thereof to the person served as follows:

Served : THANOS TRIANT

By serving : Simone Silva, Competent Member of Household

Address : (Home)  
2170 Stockbridge Avenue  
Woodside, CA 94062

Date of Service : September 6, 2007

Time of Service : 8:24 PM

I declare under penalty of perjury under the laws of the United States of America that the foregoing information is true and correct.

Date: September 7, 2007

SPECIALIZED LEGAL SERVICES  
1112 Bryant Street, Suite 200  
San Francisco, CA 94103  
Telephone: (415) 357-0500  
Registered Alameda  
Number 1006

Signature: \_\_\_\_\_

JARVIS D. HASKIN

GREGORY C. NOTI  
SCHNADER, HARRISON, SEGAL & LEWIS  
1 Montgomery Street, Suite 2200  
San Francisco, CA 94104  
Telephone: (415) 364-6700  
Attorney for: Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Plaintiff : UNITED STATES SMALL BUSINESS ADMINISTRATION, etc.  
Defendant : ALTO TECH VENTURES, LLC, et al.

Ref#: 221587                      \* **DECLARATION OF MAILING** \*      Case No.: C07-4530 SC

At the time of service I was at least eighteen years of age and not a party to this action and I served copies of the:

SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; WELCOME TO THE U.S. DISTRICT COURT, SAN FRANCISCO; ECF REGISTRATION INFORMATION HANDOUT; NOTICE OF AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION

in the within action by placing true copies thereof in a sealed envelope with first class postage fully prepaid thereon in the United States mail at San Francisco, California, addressed as follows:

THANOS TRIANT

(Home)  
2170 Stockbridge Avenue  
Woodside, CA 94062

Date of Mailing: September 7, 2007

Person who served papers:

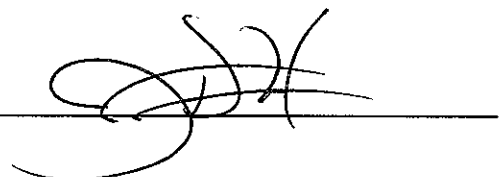
JARVIS D. HASKIN  
SPECIALIZED LEGAL SERVICES, INC.  
1112 Bryant Street, Suite 200  
San Francisco, CA 94103  
Telephone: (415) 357-0500

Fee for service: \$117.50  
Registered California process server.  
(i) Employee or Independent Contractor  
(ii) Registration no.: 1006  
(iii) County: Alameda

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: September 7, 2007

Signature



# WAIVER OF SERVICE OF SUMMONS

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

I, Gloria Chen Wahl, acknowledge receipt of your request  
(DEFENDANT NAME)

that I waive service of summons in the action of United States Small Business Administration in capacity as Receiver for Alto Tech II L.P. v Alto Tech Ventures et al,  
(CAPTION OF ACTION)

which is case number C 07-4530 SC in the United States District Court  
(DOCKET NUMBER)  
for the Northern District of California.

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an

answer or motion under Rule 12 is not served upon you within 60 days after

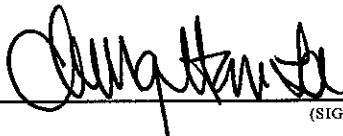
September 5, 2007

(DATE REQUEST WAS SENT)

or within 90 days after that date if the request was sent outside the United States.

September 14, 2007

(DATE)



(SIGNATURE)

Printed/Typed Name: Chung-Han Lee

As Attorney of Gloria Chen Wahl  
(TITLE) (CORPORATE DEFENDANT)

## Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.

**WAIVER OF SERVICE OF SUMMONS**

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

I, Walter T.G. Lee ☒, acknowledge receipt of your request  
(DEFENDANT NAME)

that I waive service of summons in the action of United States Small Business Administration in capacity as Receiver for Alto Tech II, P. v. Alto Tech Ventures et al.,  
(CAPTION OF ACTION)

which is case number C 07-4530 SC in the United States District Court  
(DOCKET NUMBER)  
for the Northern District of California.

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

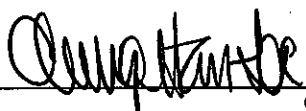
I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an

answer or motion under Rule 12 is not served upon you within 60 days after

September 5, 2007,  
(DATE REQUEST WAS SENT)

or within 90 days after that date if the request was sent outside the United States.

September 14, 2007  
(DATE)

  
(SIGNATURE)

Printed/Typed Name: Chung-Han Lee

As Attorney of Walter T.G. Lee  
(TITLE) (CORPORATE DEFENDANT)

**Duty to Avoid Unnecessary Costs of Service of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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